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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/758,180

01/15/2004

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EXAMINER

WANG, JUE S

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/758,180	Applicant(s) HELAL ET AL.	
	Examiner JUE S. WANG	Art Unit 2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 January 0224.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/7/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-39 have been examined.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 1-12 and 22-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

4. Claims 1-12 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In claims 1-12, an “integrated development tool” is recited; however, it appears that the integrated development tool would reasonably be interpreted by one of ordinary skill in the art as software, per se since the modules for generating code recited as part of the integrated development tool would reasonably be interpreted by one of ordinary skill in the art as software, per se. As such, it is believed that the integrated development tool of claims 1-12 is reasonably interpreted as functional descriptive material, per se, failing to be tangibly embodied or include any recited hardware as part of the integrated development tool and thereby fit that statutory category of invention.

5. Claims 22-30 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In claims 22-30, a “system” is recited; however, it appears that

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the system would reasonably be interpreted by one of ordinary skill in the art as software, per se, since the means for receiving and the means for generating recited as part of the system would reasonably be interpreted by one of ordinary skill in the art as software, per se. As such, it is believed that the system of claim 22-30 are reasonably interpreted as functional descriptive material, per se, failing to be tangibly embodied or include any recited hardware as part of the system and thereby fit that statutory category of invention.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1, 4, 7, 9, 11, 13, 14, 17, 19, 22, 23, 26, 28, 31, 32, 35, and 37 are rejected under 35 U.S.C. 102(e) as being anticipated by Blaukopf et al., (US 2004/0103407 A1, hereinafter Blaukopf).

8. As per claim 1, Blaukopf teaches the invention as claimed, including an integrated development tool for constructing a server-side proxy for interacting with a wireless, mobile device (see Fig 1, Fig 2, [0016]), said integrated development tool comprising:

at least one module, wherein said at least one module is configured to generate program code to perform a specific function of the server-side proxy; and means for accessing said at least one module (see [0016], [0089]; EN: the mediator servlet is considered as a server-side proxy).

9. As per claim 4, Blaukopf further teaches the at least one module is configured to generate program code to extract text from a markup language document (see [0103]-[0105]).

10. As per claim 7, Blaukopf further teaches the at least one module is configured to generate program code to receive a request originating from the mobile device and generate a hypertext transfer protocol request to an appropriate target (see Fig 1, Fig 2, [0088], [0117]).

11. As per claim 9, Blaukopf further teaches the at least one module is configured to generate program code to manipulate data strings for encoding and decoding data (see [0117]).

12. As per claim 11, Blaukopf further teaches that the integrated development tool a plurality of standardized Web Services Description Language documents, wherein each Web Services Description Language Document corresponds to a particular domain (see [0090]).

13. As per claim 13, Blaukopf teaches the invention as claimed, including a method of constructing a server-side proxy for interacting with a wireless, mobile device (see Fig 1, Fig 2, [0016]) comprising:

receiving user input specifying attributes of the server-side proxy (see Fig 3, [0093]; EN: the mediator servlet is considered as a server-side proxy); and

automatically generating program code specifying an architecture for the server-side proxy according to the user specified attributes (see Fig 3, [0093], [0098]);

wherein the program code is generated by a plurality of modules, each module configured to generate code to perform a particular function of the server-side proxy (see Fig 3, [0098]).

14. As per claims 14, 17, and 19, these are the method claims of claims 4, 7, and 9. Therefore, they are rejected using the same reasons as claims 4, 7, and 9.

15. As per claims 22, 23, 26, and 28, these are the system claims of claims 13, 14, 17, and 19. Therefore, they are rejected using the same reasons as claims 13, 14, 17, and 19.

16. As per claim 31, 32, 35, and 37, these are the machine readable storage claims of claims 13, 14, 17, and 19. Therefore, they are rejected using the same reasons as claims 13, 14, 17, and 19.

Claim Rejections - 35 USC § 103

17. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

18. Claims 2, 3, 10, 20, 29, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blaukopf et al., (US 2004/0103407 A1, hereinafter Blaukopf), in view of Wahli et al., “Web Services Wizardry with WebSphere Studio Application Developer” (hereinafter Wahli).

19. As per claim 2, Blaukopf further teaches receiving user specified attributes of said server-side proxy and automatically generate program code specifying a programmatic architecture for the server-side proxy according to the user specified attributes (see Fig 3, [0092], [0093], [0098]).

Blaukopf does not teach a wizard module for receiving the user specified attributes and that the wizard module controls the automatic generation of program code.

Wahli teaches an integrated development tool for creating web applications (see page xvii), including a wizard module for receiving the user specified attributes for generating a proxy and the wizard module controls the automatic generation of program code (see 342-343, section “Proxy Generation”).

It would have obvious to one of ordinary skill in the art at the time of the invention to have modified Blaukopf to provide a wizard module to receive the user specified attributes and to control the automatic generation of program code as taught by Wahli because a wizard is a well known user interface to provide users with step by step guidance in performing tasks.

20. As per claim 3, Blaukopf does not explicitly teach a toolbar having at least one icon that can be activated via user input.

Wahli teaches an integrated development tool for creating web applications (see page xvii), including a toolbar having at least one icon that can be activated via user input (see page 21).

It would have obvious to one of ordinary skill in the art at the time of the invention to have modified Blaukopf to provide a toolbar having at least one icon that can be activated via user input as taught by Wahli because a toolbar is a well known user interface for accessing functionality of the application.

21. As per claim 10, Blaukopf does not teach that the integrated development tool comprising a module configured to search a Universal Description, Discovery, and Integration registry.

Wahli teaches an integrated development tool for creating web applications (see page xvii), including a module configured to search a Universal Description, Discovery, and Integration registry (see page 313, section “UDDI browser”, page 395).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Blaukopf to include a module configured to search a Universal Description, Discovery, and Integration registry as taught by Wahli because it allows the developer to discover web services (see page 394 of Wahli).

22. As per claim 20, this is the method claims of claim 10. Therefore, it is rejected using the same reasons as claim 10.

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23. As per claim 29, this is the system claim of claim 10. Therefore, it is rejected using the same reasons as claim 10.

24. As per claim 38, this is the machine readable storage claim of claim 10. Therefore, it is rejected using the same reasons as claim 10.

25. Claims 5, 6, 8, 12, 15, 16, 18, 21, 24, 25, 27, 30, 33, 34, 36, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Blaukopf et al., (US 2004/0103407 A1, hereinafter Blaukopf), in view of Fox et al., “Adapting to Network and Client Variation Using Active Proxies: Lessons and Perspectives” (hereinafter Fox).

26. As per claim 5, Blaukopf does not teach that the least one module is configured to generate program code to packetize data according to a type of wireless communications link over which the data is to be sent.

Fox teaches a proxy for on the fly adaptation of data to mobile devices (see pages 1-2, sections 1.1., 1.2), including program code to packetize data according to a type of wireless communications link over which the data is to be sent (see page 1, section 1.1, page 3, left column, bullet 2, page 4, left column, paragraph 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Blaukopf to generate program code to packetize data according to a type of wireless communications link over which the data is to be sent as taught by Fox because clients vary widely with respect to both hardware and software properties and these conditions make it

difficult for servers to provide a level of service that is appropriate for every client (see page 1, abstract, section 1.1 of Fox).

27. As per claim 6, Blaukopf does not teach that the at least one module is configured to generate program code to convert images from a first graphics format to a second graphics format, wherein the second graphics format is suitable for transmission over a wireless communications link to a mobile device.

Fox teaches a proxy for on the fly adaptation of data to mobile devices (see pages 1-2, sections 1.1., 1.2), including program code to convert images from a first graphics format to a second graphics format, wherein the second graphics format is suitable for transmission over a wireless communications link to a mobile device (see pages 2-3, section 2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Blaukopf to generate program code to convert images from a first graphics format to a second graphics format, wherein the second graphics format is suitable for transmission over a wireless communications link to a mobile device as taught by Fox because clients vary widely with respect to both hardware and software properties and these conditions make it difficult for servers to provide a level of service that is appropriate for every client (see page 1, abstract, section 1.1 of Fox).

28. As per claim 8, Blaukopf does not teach the at least one module is configured to generate program code to maintain user profiles within a data source accessible to the server-side proxy.

Fox teaches a proxy for on the fly adaptation of data to mobile devices (see pages 1-2, sections 1.1., 1.2), including program code to maintain user profiles within a data source accessible to the proxy (see page 6, left column, section 3.1, paragraph 1, page 7, Figure 4, right column, paragraph 4, page 8, left column, paragraph 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Blaukopf to generate program code to maintain user profiles within a data source accessible to the server-side proxy as taught by Fox because the user profiles stored in the customization database allows mass customization of request processing (see page 7, right column, paragraph 4 of Fox).

29. As per claim 12, Blaukopf does not teach the at least one module is configured to generate program code to measure a quality of a communications link to the wireless, mobile device.

Fox teaches a proxy for on the fly adaptation of data to mobile devices (see pages 1-2, sections 1.1., 1.2), including program code to measure a quality of a communications link to the wireless, mobile device (see page 1, section 1.1, page 3, left column, bullet 2, page 4, left column, paragraph 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have modified Blaukopf to generate program code to measure a quality of a communications link to the wireless, mobile device as taught by Fox because to reap the maximum benefit from distillation, a distilled representation must target specific attributes of the client and that

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distillation time is small and is compensated by reduction in overall transmission time (see page 3, left column, bullet 2 of Fox).

30. As per claims 15, 16, 18, and 21, these are method claims of claims 5, 6, 8, and 12.

Therefore, they are rejected using the same reasons as claims 5, 6, 8, and 12.

31. As per claims 24, 25, 27, and 30, these are system claims of claims 5, 6, 8, and 12.

Therefore, they are rejected using the same reasons as claims 5, 6, 8, and 12.

32. As per claim 33, 34, 36, and 39, these are machine readable storage claims of claims 5, 6, 8, and 12. Therefore, they are rejected using the same reasons as claims 5, 6, 8, and 12.

Conclusion

33. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Sini et al., (US 6,697,839 B2) is cited to teach a proxy that translates the content that is generated by an application from an initial format to a format that is supported by a mobile device.
- Just (US 7,171,672 B2) is cited to teach distributed application proxy generator.

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jue S. Wang whose telephone number is (571) 270-1655. The examiner can normally be reached on M-Th 7:30 am - 5:00pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lewis Bullock can be reached on 571-272-3759. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lewis A. Bullock, Jr./
Supervisory Patent Examiner, Art Unit 2193

Jue Wang
Examiner
Art Unit 2193